

**IN THE SPECIFICATION:**

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The present application is a continuation application of United States Patent Application No. 09/741,344 filed on December 21, 2000, now U.S. Patent No. 6,217,800 the disclosure of which is herewith incorporated by reference in its entirety.

**COMPLETE LISTING OF CLAIMS**  
**IN ASCENDING ORDER WITH STATUS INDICATOR**

1. – 22. Canceled.

23. (New) A method of determining an optimum recording power based on a relationship between modulation parameters and recording powers which are provided through a test writing in which writing a pattern of marks and spaces to an optical storage medium with a recording power  $p$  is repeated by sequentially changing the recording power  $p$  with increments of a predetermined power, a test reading in which reading the